

**GUNSHY RIDGE THREE (BITTERROOT VALLEY DEVELOPMENT, LLC)
TEN-LOT MAJOR SUBDIVISION AND ONE VARIANCE REQUEST**

STAFF REPORT FOR PLANNING BOARD

CASE PLANNER: John Lavey *JL*

**REVIEWED/
APPROVED BY:** Renee Van Hoven *RVH*

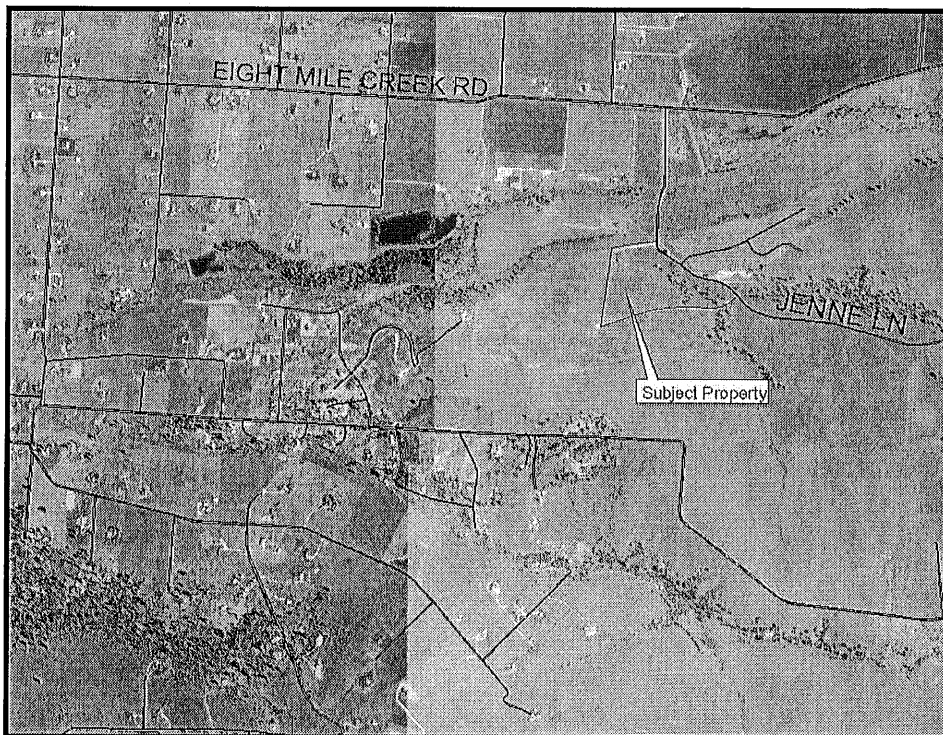
**PUBLIC HEARINGS/
MEETINGS:**

RCPB Plat Evaluation:	June 21, 2006
RCPB Public Hearing:	June 28, 2006
Deadline for PB recommendation to BCC:	August 16, 2006
BCC Public Meeting:	2:00 p.m. July 25, 2006
Deadline for BCC action (60 working days):	September 15, 2006

APPLICANT/OWNER: Bitterroot Valley Development, LLC
PO Box 2260
Renton, WA 98056-0260

REPRESENTATIVE: Gordon Sorenson Engineering
2610 Gunsight Court
Missoula, MT 59804

LOCATION OF REQUEST: The property is located east of Florence off Eight Mile Creek Road and Jenne Lane. (See Map 1)



Map 1: Location Map
(Source Data: Ravalli County Planning Department)

**LEGAL DESCRIPTION
OF PROPERTY:**

Tract 1 of COS# 533387-R located in the NW ¼ of Section 9, T10N,
R19W, P.M.M., Ravalli County, Montana.

**APPLICATION
INFORMATION:**

The subdivision application was determined complete on June 2,
2006. Agencies were notified of the subdivision and comments
received by the Planning Department not included in the application
packet are Exhibits A-1 and A-5 of the staff report.

LEGAL NOTIFICATION:

A legal advertisement was published in the Ravalli Republic on
Tuesday, June 8, 2006. Notice of the project was posted on the
property and adjacent property owners were notified by certified mail
postmarked June 5, 2006

**DEVELOPMENT
PATTERN:**

Subject property	Agriculture and Vacant Rural
North	Large Lot Residential
South	Agriculture
East	Residential
West	Agriculture

RAVALLI COUNTY PLANNING BOARD

JUNE 28, 2006

GUNSHY RIDGE THREE TEN-LOT MAJOR SUBDIVISION AND ONE VARIANCE REQUEST

RECOMMENDED MOTIONS

1. That the variance request from Section 3-2-16(b) of the Ravalli County Subdivision Regulations, to allow the stormwater and drainage plans to not meet the requirements of MDEQ Circular 8, be **denied**, based on the findings of fact and conclusions of law in the staff report.
2. That the Gunshy Ridge Three Major Subdivision be **approved**, based on the findings of fact and conclusions of law in the staff report and subject to the conditions in the staff report.

RECOMMENDED MITIGATING CONDITIONS OF APPROVAL FOR THE SUBDIVISION

1. A document entitled "Notifications to Future Property Owners" that includes the following notifications and the attachments listed below shall be included in the submittal of the final plat to the Planning Department and filed with the final plat:

Notification of Proximity to Agricultural Operations. This subdivision is located near existing agricultural activities. Some may find activities associated with normal agricultural activities objectionable and dangerous. *(Effects on Agriculture)*

Notification of Road Maintenance Agreement. Ravalli County, the State of Montana, or any other governmental entity does not maintain the internal subdivision roads and therefore does not assume any liability for improper maintenance or the lack thereof. A Road Maintenance Agreement for these roads was filed with this subdivision and outlines what parties are responsible for maintenance and under what conditions. *(Effects on Local Services)*

Notification of No-Build/Alteration Zones. Within this subdivision there are no-build/alteration zones on Lots 1 through 5, as shown on the plat, to restrict building on slopes greater than 25% and areas prone to flooding. No new structure, with the exception of fences, may be constructed in this area. No new utilities, with the exception of wells, may be constructed in this area. *(Effects on Natural Environment and Public Health and Safety)*

Notification of Proximity to Eight Mile Creek. This subdivision is located in close proximity to Eight Mile Creek. There is an inherent hazard associated with creeks, due to potential soil erosion, flooding and movement of the creek channel. *(Effects on Public Health and Safety)*

Notification of Proximity to Unnamed Intermittent Creek. Within this subdivision there is an unnamed intermittent creek. There is an inherent hazard associated with creeks, due to potential soil erosion, flooding and movement of the creek channel. It is recommended that property owners of this subdivision obtain flood insurance. *(Effects on Public Health and Safety)*

Lots within this subdivision do not currently have the right to take irrigation water out of the intermittent stream located within the subdivision. Taking water without a water right for irrigation purposes is illegal. *(Effects on Agricultural Water User Facilities)*

Notification of Severe Soils. Within this subdivision there are areas of the property identified as potentially having soils rated as severe for roads and building sites. The approximate locations of these areas can be found on a reduced copy of the final plat and descriptions of the severe soils are included as exhibits to this document. (The applicant shall include the exhibits as attachments) *(Effects on Public Health and Safety)*

2. Protective covenants for this subdivision shall be submitted with the final plat that include the following provisions:

Waiver of Protest to Creation of RSID/SID. Owners and their successors in interest waive all rights in perpetuity to protest the creation of a city/rural improvement district for any purpose allowed by law, including, but not limited to creating and/or improving a community water or wastewater treatment system and improving and/or maintaining the roads that access the subdivision, including related right-of-way, drainage structures, and traffic control signs. *(Effects on Local Services)*

Required Posting of County-Issued Addresses for Lots within this Subdivision. The Florence Rural Fire District has adopted the Uniform Fire Code which requires the lot owners to post the County-issued addresses at the intersection of the driveways leading to both of the residences and Schrage Court as soon as construction on the residences begins. *(Effects on Local Services & Effects on Public Health and Safety)*

Access Requirements for Lots within this Subdivision. The Florence Rural Fire District has adopted the Uniform Fire Code. All accesses, including driveways to residences over 150' in length, must have a minimum unobstructed travel surface width of 20', a vertical clearance of 13'6", maximum grade of 6%, and an all weather surface that can accommodate the weight of a fire truck to meet requirements of the Uniform Fire Code. Please contact the Florence Rural Fire District at PO Box 721, Florence, MT, for further information on the requirements of the Florence Rural Fire District and/or the Uniform Fire Code. *(Effects on Local Services & Effects on Public Health and Safety)*

Primary Heat Source. The primary heat source for the newly constructed residences in this subdivision shall be at least 75% efficient. *(Effects on Natural Environment)*

Lighting for New Construction. Full cut-off lighting shall be required for any new construction within this subdivision. A full cut-off fixture means fixtures, as installed, that are designed or shielded in such a manner that all light rays emitted by the fixture, either directly from the lamps or indirectly from the fixture, are projected below a horizontal plane through the lowest point on the fixture where light emitted. The source of light is fully shielded, top and sides, so as not to emit light upwards or sideways, but only allowing light to shine down towards the subject that is to be lighted. Spotlighting of flag poles shall be permitted. *(Effects on Public Health & Safety)*

Control of Noxious Weeds. Lot owners shall control the growth of noxious weeds on their respective lot(s). *(Effects on Natural Environment)*

Radon Exposure. The owner understands and accepts the potential health risk from radon concentrations, which are presently undetermined at this location. Unacceptable levels of radon can be reduced through building design and abatement techniques incorporated into structures. *(Effects on Public Health and Safety)*

Amendment. The covenants filed with the final plat shall state that written Governing Body approval shall be required for amendments to provisions of the covenants that were required to be included as a condition of subdivision approval. *(Effects on all six criteria)*

3. The subdivider shall include an RSID/SID waiver in a notarized document filed with the subdivision plat that states the following: Acceptance of a deed for a lot within this subdivision shall constitute the assent of the owners and any successors in interest to any future RSID/SID, based on benefit, for a community wastewater system, community water system, or upgrading roads leading to or within the subdivision, including but not limited to paving, curbs and gutters, non-motorized transportation facilities, street widening, and drainage facilities. *(Effects on Local Services)*
4. Stop signs and road name signs shall be installed at the intersection of all roads prior to final plat approval. *(Effects on Local Services)*
5. The applicants shall provide a letter from the Florence Rural Fire District stating that they have provided the required 1,000 gallons per minute water supply or 2,500 gallons per minute water storage for fire protection for each lot within this subdivision. Alternatively, the applicants may provide evidence of a \$500 per lot contribution made to the Florence Rural Fire District with the final plat submittal in lieu of the required water supply or water storage for fire protection. *(Effects on Local Services & Effects on Public Health and Safety)*
6. The internal roads Molly Court, Winter Place, and Boyce Drive shall be labeled as privately-maintained roads within a public road and utility easement on the final plat. *(Effects on Local Services)*
7. The subdivider shall provide evidence with the final plat submittal that they have applied for County-issued addresses for each lot within this subdivision. *(Effects on Public Health and Safety)*
8. The applicants shall provide evidence that a financial contribution (to be decided by the Planning Board) has been contributed to the Florence-Carlton School District prior to final plat approval. *(Effects on Local Services)*
9. The no-build/alteration zone, excepting wells, from the plateau of the bench northeast to Jenne Lane shall be shown on the final plat. *(Effects on the Natural Environment and Public Health and Safety)*

INTRODUCTION

The Gunshy Ridge Three Major Subdivision is a ten-lot subdivision of 22.03 acres located east of Florence. There are no-build/alteration zones on areas with slopes of 25% or greater traversing Lots 1 through 5. An intermittently flowing natural drainage traverses the base of a hill. The applicant is proposing cash-in-lieu of parkland dedication.

Concurrent with the subdivision proposal, the applicant is requesting a variance from Section 3-2-16(b) of the Ravalli County Subdivision Regulations, which requires grading and stormwater drainage plans be prepared in accordance with MDEQ Circular 8 standards.

Staff recommends denial of the variance request and conditional approval of the subdivision proposal.

SUBDIVISION REPORT

COMPLIANCE WITH PRIMARY SUBDIVISION REVIEW CRITERIA

CRITERION 1: EFFECTS ON AGRICULTURE

Findings of Fact:

1. The proposed major subdivision on 22.03 acres will result in ten lots that range in size from 1.9 to 3.6 acres. The property is located approximately 3.5 miles east of the Town of Florence.
2. It appears that a portion of the property has been used for agriculture in the past.
3. There are no Prime Farmland Soils or Farmland of Statewide Importance associated with this property.
4. The property is located in an area where there is a mix of agricultural and residential uses. To mitigate impacts on nearby agricultural practices, a notification of agricultural operations shall be filed with the final plat. (Condition 1)

Conclusions of Law:

1. With the recommended mitigating conditions, impacts of this subdivision on surrounding agricultural practices will be minimized.
2. The creation of these lots will not take Prime Farmland or Farmland of Statewide Importance out of production.

CRITERION 2: EFFECTS ON AGRICULTURAL WATER USER FACILITIES

Findings of Fact:

1. There are no water rights associated with this property.
2. To notify future property owners and mitigate potential impacts on agricultural water user facilities, a notification shall be included that owners of the lots do not have the right to take water from the intermittent stream traversing the property. (Condition 1)

Conclusion of Law:

Impacts to agricultural water user facilities will be minimized through the mitigating conditions.

CRITERION 3: EFFECTS ON LOCAL SERVICES

Findings of Fact:

1. Jenne Lane is a privately maintained road that meets County Standards.
2. Eight Mile Creek Road, a County-maintained road, does not meet County-standards and the developer is required to pay the pro-rated share of the cost to improve the portion of this road providing access to the subdivision to meet County Standards.
3. The internal road system, which consists of Boyce Drive, Winter Place, and Molly Court, is proposed to meet County Standards. An engineer's certification that the roads meet County Standards is a requirement of final plat approval. The Road and Bridge Department has approved the preliminary road plans. (Exhibit A-2)
4. To mitigate impacts on local services and ensure public access, the easements for the internal roads shall be labeled as public road and utility easements on the final plat. (Condition 6)
5. A Road Maintenance Agreement for the internal roads and Jenne Lane has been included in the application packet and is required to be filed with the final plat. To mitigate impacts on local services and public health and safety, a notification of the road maintenance agreement shall be included in the Notifications Document filed with the final plat. (Condition 1)
6. Road plans and grading and drainage plans approved by the County's Professional Engineering Advisor, a road certification certified by a professional engineer for the internal roads, and a copy of the General Discharge Permit for Stormwater associated with construction activity from MDEQ (if required) will be required prior to final plat approval. All infrastructure improvements are required to be completed prior to final plat approval

7. The applicant shall submit road name petitions approved by the County GIS department for the internal subdivision roads prior to final plat approval. A stop sign and road name sign shall be installed at the intersection of all internal roads prior to final plat approval, per the recommendation of the County's consulting engineer. (Condition 4)
8. To mitigate potential impacts of this subdivision on any possible future public water, sewer system, or improvements to the road system, an RSID/SID waiver filed with the final plat shall address these services/facilities. (Conditions 2 & 3)
9. Individual wells and wastewater treatment systems are proposed for lots within this subdivision. (Effects on Natural Environment)
10. Bitterroot Disposal provides service to this site.
11. The Florence-Carlton School District was notified of the subdivision proposal. In a letter dated June 7, 2006, the School District requested a \$5,312.50 per lot contribution. The developer is proposing to contribute a voluntary donation to the school district, but did not specify the amount. A condition that the developer provides evidence of a contribution to the School District is required prior to final plat approval. (Condition 8) (Exhibit A-3)
12. The subdivision is located within the Florence Rural Fire District. The Florence Rural Fire District has provided comments on previous subdivision proposals indicating they have adopted a policy which addresses access, posting of addresses, and water supply requirements. Conditions of approval will meet the recommendations of the Florence Rural Fire District. (Conditions 2 & 5)
13. The Ravalli County Sheriff's Office provides law enforcement services to this area.
14. Public Services are adequate for this subdivision.

Conclusion of Law:

With the mitigating conditions of approval and requirements of final plat approval, impacts of the subdivision on local services will be minimized.

CRITERION 4: EFFECTS ON THE NATURAL ENVIRONMENT

Findings of Fact:

1. The property is located approximately 435 feet south of Eight Mile Creek, which drains an area of 15 square miles or more. The property is separated from Eight Mile Creek by approximately 25 vertical feet, so a floodplain analysis waiver was granted by the Ravalli County Floodplain Administrator. (Exhibit A-1)
2. In the waiver, dated May 1, 2006, the Floodplain Administrator states that a small, unnamed intermittent creek traverses the property's northeast portion, and stated that the creek may have the potential to carry substantial floodwaters throughout its floodplain. She recommended that all structures and utilities be located on the bench above the floodplain of the small creek, except for wells. To mitigate impacts on the natural environment, a no-build/alteration zone, excepting wells, shall be placed on the final plat from the plateau of the bench northeast to Jenne Lane. A notification of the no build/alteration zone shall be included in the notifications document filed with the final plat. (Conditions 1 & 9)
3. Individual wells and wastewater treatment systems are proposed to serve lots within the subdivision and adequate information has been provided to the Environmental Health Department for local subdivision review to occur. A Certificate of Subdivision Plat Approval from Montana DEQ has been provided and is required to be submitted with the final plat. (Application)
4. To mitigate air pollution resulting from home heating emissions, the protective covenants filed with the final plat shall state that the primary heat source for any newly constructed residences must be at least 75% efficient. (Condition 2)
5. A noxious weed and vegetation control plan is required to be filed with the final plat for ground disturbance associated with a subdivision. According to MCA 7-22-2152, any person proposing a development that needs state or local approval and that results in the potential for noxious weed infestation within a weed district, shall notify the weed board at least 15 days prior to activity. Consequently, 15 days prior to activities requiring a revegetation plan, *such as*

road construction, the plan shall be submitted to the weed board for approval from the board. To mitigate impacts on the natural environment, a noxious weed control provision shall be included in the protective covenants filed with the final plat for this subdivision. (Condition 2)

Conclusion of Law:

With the mitigating conditions and the requirements of final plat approval, impacts from this subdivision on the natural environment will be minimized.

CRITERION 5: EFFECTS ON WILDLIFE AND WILDLIFE HABITAT

Finding of Fact:

The property is not located within the FWP-identified big game winter range and no species of special concern have been identified in the vicinity of the subdivision.

Conclusion of Law:

With the condition of approval, impacts of the proposed subdivision on wildlife will be mitigated.

CRITERION 6: EFFECTS ON PUBLIC HEALTH AND SAFETY

Findings of Fact:

1. The conditions that address the Fire District's recommendations will mitigate impacts on local services and public health and safety. (Conditions 2 & 5)
2. The preliminary plat shows that Lots 1 through 5 have steep slopes (greater than 25%), which are required to be identified as no build/alteration zones on the final plat. An unnamed intermittent creek is in the northeast portion of the property and the no-build/alteration zone shall be extended to Jenne Lane from the bench to prevent building in flood prone areas. In order to mitigate impacts on public health and safety, notification of the no-build/alteration zone shall be included in the Notifications Document and the no-build/alteration zone placed on the final plat. (Conditions 1 & 9)
3. The preliminary plat and soils map indicate that portions of this subdivision may have soils rated as severe for building and road construction. To educate property owners and to mitigate potential impacts of this subdivision on public health and safety, a notification of the potential for severe soils shall be included in the Notifications Document filed with the final plat. (Condition 1)
4. Lots will be served by individual wells and wastewater treatment systems. (Natural Environment)
5. To mitigate the general impacts of this subdivision on public health and safety, the subdivider shall apply for County-issued addresses for each lot within this subdivision. A provision shall be included in the protective covenants requiring property owners to post County-issued addresses at their driveways to enhance provision of emergency services. (Conditions 2 & 7)
6. To mitigate the impacts of light pollution stemming from new construction, the protective covenants shall include a provision requiring full cut-off lighting with the exception of flag poles. (Condition 2)
7. There is a prevalence of radon in the County and to mitigate impacts on public health and safety, the covenants for this property shall include a statement regarding radon exposure. (Condition 2)

Conclusion of Law:

The mitigating conditions and requirements of final plat approval address potential impacts of this subdivision on public health and safety.

COMPLIANCE WITH:

1) THE SURVEY REQUIREMENTS PROVIDED FOR IN PART 4 OF M.C.A. 76-3.

Finding of Fact:

The Seal of a Professional Land Surveyor or Engineer is required on all final plats, which states that the subdivision complies with part 4 of M.C.A. 76-3.

Conclusion of Law:

This proposal meets the survey requirements, or conditions have been required to bring the proposal into compliance.

2) THE LOCAL SUBDIVISION REGULATIONS PROVIDED FOR IN PART 5 OF M.C.A. 76-3.

Finding of Fact:

Subdivisions are required to comply with the local subdivision regulations provided for in part 5 of M.C.A. 76-3.

Conclusion of Law:

The developer has submitted a plan which complies with the requirements of local subdivision regulations or conditions have been required that will bring the plan into compliance.

3) THE LOCAL SUBDIVISION REVIEW PROCEDURE PROVIDED FOR IN THE RAVALLI COUNTY SUBDIVISION REGULATIONS

Findings of Fact:

1. Subdivisions are required to comply with the local subdivision review procedure provided for in the Ravalli County Subdivision Regulations.
2. A decision of the governing body rejecting or approving a proposed subdivision may be appealed to the district court within thirty (30) days of such decision. The petition shall specify the grounds upon which the appeal is made. An appeal may be made by the subdivider; a landowner with a property boundary contiguous to the proposed subdivision or a private landowner with property within the unincorporated area of the county that can show a likelihood of material injury to the landowner's property or its value; a first class municipality if the subdivision is within three miles of its limits, a second class municipality if a subdivision is within two miles of its limits, a third class municipality or town if the subdivision is within one mile of its limits. An aggrieved party means a person who can demonstrate a specific personal and legal interest, as distinguished from a general interest, who has been or is likely to be specially and injuriously affected by the decision.

Conclusion of Law:

This development plan proposal has followed the necessary application procedure and has been reviewed within the procedures provided in Chapter 3 of the Ravalli County Subdivision Regulations.

CONSISTENCY WITH EXISTING ZONING AND COVENANTS

Findings of Fact:

1. The application states the property is not located within a zoning district.
2. There are existing covenants on the property. (Application) The proposal appears to be consistent with existing covenants.

Conclusion of Law:

Zoning does not apply to this property and the proposal is in compliance with existing covenants.

PROVISION OF EASEMENTS FOR UTILITIES

Findings of Fact:

1. The plat indicates utility easements are located along and within Jenne Lane. Utility easements are proposed to be extended along each internal subdivision road.
2. According to the application, the proposed subdivision will be served by Ravalli Electric Cooperative and Qwest Telephone. Utility companies have been notified of the proposed subdivision and no comments from the Ravalli Electric Cooperative have been received to date. Qwest telephone states in a letter dated May 9, 2005, that they will provide telephone service to the subdivision.
3. Utility easements are required to be shown on the final plat.

Conclusion of Law:

Utility services are available to the subdivision.

PROVISION OF LEGAL AND PHYSICAL ACCESS

Finding of Fact:

Physical and legal access for this subdivision is proposed via Eight Mile Creek Road and Jenne. The lots will access off internal roads. (Local Services)

Conclusion of Law:

With the conditions of approval and requirements of final plat approval, the proposal meets physical and legal access requirements.

VARIANCE REPORT

VARIANCE REQUEST

The applicant has requested a variance from Section 3-2-16(b) of the Ravalli County Subdivision Regulations which requires grading and stormwater drainage plans be prepared in accordance with MDEQ Circular 8.

Compliance with Variance Review Criteria

A. The granting of the variance will not be substantially detrimental to the public health, safety or general welfare or injurious to other adjoining properties.

Findings of Fact:

1. Section 3-2-16(b) requires grading and stormwater drainage plans be prepared in accordance with MDEQ Circular 8.
2. A natural intermittent creek traverses Lots 1 through 5 and is located at the foot of a bench. In a letter dated May 1, 2006, the Floodplain Administrator described the creek as having the propensity to carry substantial floodwaters through its floodplain.
3. Two proposed retention ponds are located on-site; at each end of the intermittent creek as it traverses the property. The floodplain administrator noted that the presence of the ponds at their proposed location is evidence that water flows within the creek and needs to be regulated.
4. Section 1.1.2(C) of MDEQ Circular 8 requires design provisions allowing for the through passage of waters that originate outside the subdivision to prevent flooding home sites.
5. In a letter dated May 26, 2006, the Road Department recommended denial of this variance request, citing that compliance with adopted standards align with current best practices. (Exhibit A-2) The consulting engineer for Ravalli County, WGM group, also recommended denial of this variance. (Exhibit A-2)

Conclusion of Law:

Without a stormwater drainage plan that meets MDEQ Circular 8, there may be negative impacts to public health and safety by granting this variance.

B. The conditions on which the request for a variance is based are unique to the property on which the variance is sought and are not applicable generally to other property.

Finding of Fact:

Many natural, unnamed, and intermittent creeks are found within the Bitterroot Valley.

Conclusion of Law:

The conditions upon which the variance is requested are not unique to the subject property.

C. Physical conditions, such as topography or parcel shape, prevents the applicant from meeting the strict letter of these regulations. These conditions shall not result from the past actions of the land's current or previous owner(s).

Finding of Fact:

Stormwater drainage plans can address any topography on parcel shape.

Conclusion of Law:

Physical and topographic conditions do not preclude the applicant from meeting the strict letter of these regulations.

D. The variance will not in any manner vary the provision of the zoning regulations or the Growth Policy.

Findings of Fact:

1. There is no zoning on this property.
2. Relevant countywide provisions in the Ravalli County Growth Policy are outlined below. Provisions of the Ravalli County Growth Policy are followed by an analysis (bulleted points) of the variance request against these provisions.

Countywide Goal 4: Provide necessary infrastructure and public services to accommodate population growth and new development without undue impacts on the quality, quantity and cost of service to existing residents.

Countywide Policy 4.2: Consider the cumulative impacts of development.

- To mitigate cumulative impacts of development on the drainage system, current best practices should be ascribed to.

Conclusions of Law:

1. Zoning does not apply to this property.
2. The Growth Policy does not appear to support the granting of this variance.

E. The variance will not cause a substantial increase in public costs.

Finding of Fact:

There appear to be no substantial increase in public costs by granting this variance.

Conclusion of Law:

Approval of the variance request will not affect public costs.



EXHIBIT A-1

Planning Department
215 South 4th Street; Suite F
Hamilton, MT 59840
(406) 375-6530 ph; (406) 375-6531 fax
OG-06-05-524

May 1, 2006

Gordon Sorenson, PEPLS
2610 Gunsight Ct
Missoula, MT 59804

RE: Waiver of Floodplain Analysis for Gunshy Ridge Three Subdivision
Parcel 1376224, Geocode #1870-09-3-01-05-0000

Dear Mr. Sorenson,

We have completed our review for a waiver of the requirement for a full floodplain analysis according to Section 3-2-13 of the Ravalli County Subdivision Regulations for the above proposed subdivision. We have determined the following:

1. The northern portion of subject property is separated from Eight Mile Creek by approximately 435 horizontal feet.
2. The bench located within proposed subdivision is approximately 25 vertical feet above Eight Mile Creek as indicated by Gordon Sorenson in a letter dated April 5, 2006.
3. Topographic maps identify a perennially flowing un-named creek at the base of the bench. A site visit was conducted by John Lavey on April 28, 2006 to confirm the location and the current hydrologic condition of the un-named creek. The un-named creek instead appears to be an intermittent creek with the propensity to carry substantial floodwaters through the floodplain.
4. The existence of a nearby retention pond and the two proposed retention ponds further indicate the need to regulate water flow through the un-named creek.
5. The un-named creek's drainage basin appears to be less than 15 square miles in area and therefore does not require a floodplain analysis.

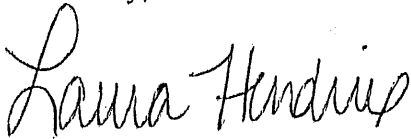
Given the close proximity of the proposed residential lots to the both Eight Mile Creek and the un-named creek, it is strongly recommended that all structures and utilities (with the exception of the wells) be located on the bench above the floodplain. It is also suggested that the no build/no alteration zone on lots 1-5 be extended northeast from the bench to Jenne Lane to recognize the flashy nature of the un-named creek.

Although the property is not located in the designated 100-year floodplain, we recommend the property owners obtain flood insurance due to the proximity of each of the creek's estimated 100-year floodplains. (The opportunity to obtain discounted flood insurance is a privilege of the citizens of Ravalli County as standard homeowner's insurance policies do not cover flood damages.)

Given the information cited above and the material presented in your application, we believe that it is reasonable to waive the requirement for a full floodplain analysis as outlined in Section 3-2-13. Consequently, your waiver request is granted for this project.

If you have any questions, please feel free to contact our office.

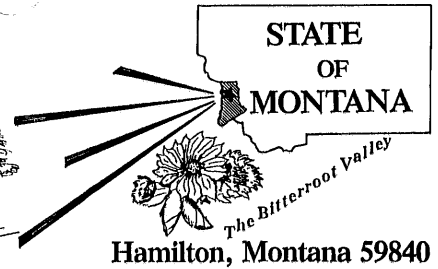
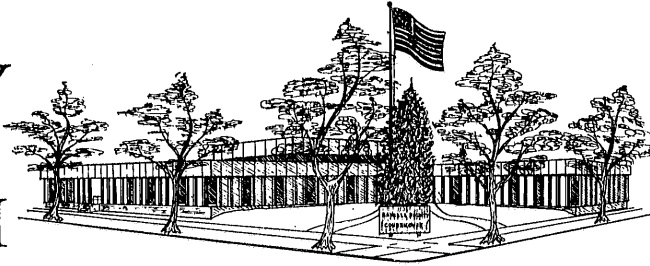
Sincerely,

A handwritten signature in cursive script that reads "Laura Hendrix".

Laura Hendrix, CFM
Ravalli County Floodplain Administrator

Cc: Correspondence File - General
Renee Van Hoven, Ravalli County Planner
John Lavey, Ravalli County Assistant Planner
Floodplain Waiver File

COUNTY OF RAVALLI



ROAD & BRIDGE DEPARTMENT

244 FAIRGROUNDS ROAD, HAMILTON, MONTANA 59840

RECEIVED

MAY 26 2006

IC-06-05-836-JR
Ravalli County Planning Dept.

DATE 26 MAY 2006
TO JOHN LAVEY, COUNTY PLANNING DEPARTMENT
FROM DAVID H. OHNSTAD, COUNTY ROAD SUPERVISOR
SUBJECT GUNSHY RIDGE III SUBDIVISION

PRELIMINARY DESIGN REVIEW

Attached please find analysis and comment from the county's consulting civil engineers relative to the preliminary design submittal for the proposed Gunshy Ridge III subdivision project. The Road & Bridge Department will approve this preliminary design, with the understanding and expectation that the project owner will fully address, through final design submittal, the identified concerns.

VARIANCE REQUEST

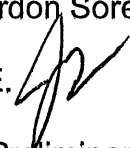
Also attached please find analysis from the consulting engineers relative to the requested variance from Ravalli County drainage and stormwater management standards. The Road & Bridge Department fully concurs with the consulting engineer's analysis and **does not recommend approval** of this request. It would be a reasonable conclusion that conformance to the cited elements of the county's adopted standards would not require any extraordinary effort, either in design or construction. Further, it would be a reasonable conclusion that compliance with these adopted standards would align with current best practice in the design and function of stormwater management facilities regardless the statutory requirement. Finally, the project owner shall be responsible for the additional expense incurred by the consulting engineers in reviewing this request.



**ENGINEERING
SURVEYING
PLANNING**

3021 Palmer • P.O. Box 16027 • Missoula, Montana 59808-6027

(406) 728-4611
FAX: (406) 728-2476
wgmgroupp.com

DATE: May 23, 2006
TO: David Ohnstad, Ravalli County Road & Bridge Department
CC: Gordon Sorenson, Gordon Sorenson Engineering
FROM: Jonathan L. Gass, P.E. 
RE: Gunshy Ridge Three Preliminary Review Completion
WGM Group Reference No. 06-03-08

On behalf of the Ravalli County Road and Bridge Department (RCRBD), we have completed our preliminary review of the above referenced project. Adequate road, grading, and drainage information has been submitted for the project. If the RCRBD is in concurrence with our review, please forward this letter to the Planning Office to be included with the full subdivision application.

Preliminary comment memoranda were sent to the design engineer in accordance with Step 6 on the RCRBD's "Schedule of Activities – Processing & Coordination of Subdivision Projects" form. We are now sending this letter to your office in accordance with Step 7 of the RCRBD's Schedule of Activities to complete our preliminary review of the project.

We have included a copy of the following with this letter.

- 1) Preliminary comment memorandum to engineer from WGM Group, dated 5/09/06
- 2) Preliminary comment response from Gordon Sorenson Engineering, dated 5/11/06
- 3) Comment response reply to engineer from WGM Group, dated 5/19/06
- 4) Comment response from Gordon Sorenson Engineering, dated 5/22/06

This review is based on the 2004 version of the AASHTO Geometric Design of Highways and Streets, the 2001 version of the AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT<400), and the Ravalli County Subdivision Regulations.

Review of the plans and reports are limited to general conformance with the Ravalli County Subdivision Regulations in place at the time the subdivision application was submitted. This is not a complete or comprehensive review of the design assumptions or conclusions of the design professional who submitted the plans and reports. A final set of construction plans will need to be submitted by the developer for review by the RCRBD prior to beginning construction.

Thank you for the opportunity to work with the Ravalli County Road Department. If you have any questions, please contact our office.



ENGINEERING
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3021 Palmer • PO Box 16027 • Missoula, MT 59808-6027

Phone: (406)728-4611
Fax: (406)728-2476
www.wgmgroup.com

DATE: May 9, 2006
TO: Gordon Sorenson, Gordon Sorenson Engineering
CC: David Ohnstad, Ravalli County Road & Bridge Department
FROM: Jonathan L. Gass, P.E.
RE: Gunshy Ridge Three Preliminary Review Comments

On behalf of the Ravalli County Road and Bridge Department (RCRBD), our office has completed a review of the plans and reports submitted by your office. This review memorandum is part of Step 6 on the RCRBD's "Schedule of Activities – Processing & Coordination of Subdivision Projects" form. This review is based upon the 2004 version of the AASHTO Geometric Design of Highways and Streets and the 2001 version of the AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT<400).

Based on our review we have the following comments:

Roadways

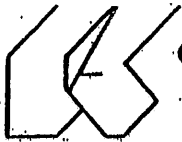
- 1) AASHTO references are not listed on the Schedule for Roadway Design. Please provide complete schedules showing the appropriate AASHTO references. References listed on the Schedule for Roadway Design must reference the current AASHTO edition, 2004.
- 2) On page 582, AASHTO recommends that grades in excess of 3% be avoided at intersections to allow for a storage platform. With the icy conditions present during certain times of the year, a 3% storage platform should be incorporated into the final plans.
- 3) The intersection of Molly Court and Jenne Lane appears to be at the base of a 10% grade on Jenne Lane. Please address any effects this grade has on the intersection.
- 4) The proposed road width for Winter Place does not allow for on-street parking. "No Parking" signs will need to be shown on the final design plans to be installed in accordance with the Manual for Uniform Traffic Control Device. If parking is to be accommodated, a wider road will need to be provided.

- 5) The pavement design section of the Schedule for Roadway Design does not have a detailed pavement design. The pavement section shown on the road plan is sufficient for preliminary design, however, a detailed pavement design in accordance with current regulations will be required for the review of the final plans prior to construction.
- 6) Please provide sight distance triangles for the proposed intersections of Jenne Lane/Molly Court and Boyce Drive/Winter Place.

Storm Drainage

- 1) The Ravalli County Subdivision Regulation 3-2-16 (b) states that grading plans be prepared in accordance with DEQ Circular 8. Several items required by DEQ Circular 8 are not address in the drainage report. These items include offsite drainage, locations of well and drainfields within 200', closed basin retention ponds designed for a 24-hour rainfall event, test pits within the boundaries of a proposed closed basin, and designs for roadway drainage structures (culverts). Please revise the drainage report to addressing the items required by DEQ Circular 8.

Please respond to these comments as outlined in Step 6 of the "Schedule of Activities – Processing & Coordination of Subdivision Projects" sheet from the RCRBD. Thank you.



GORDON SORENSON ENGINEERING
Specializing in Land Development Services

Gordon E. Sorenson, PE PLS
Registered Land Surveyor

Charles D. Conklin, PLS
Registered Land Surveyor

May 11, 2006

Jonathan Gass, P.E.
WGM Group, Inc.
PO Box 16027
Missoula MT 59808-6027

Re: Gunshy Ridge Three Preliminary Review Comments

Dear Mr. Gass:

This is my reply to your memo to me dated May 9, 2006. My replies are in numerical reference to your comments.

- ✓1. Attached is a revised Schedule for Roadway Design listing references to the latest edition of the ASSHTO publications.
2. The final design can be revised to allow a storage platform of 40+/- feet at a 3% grade on the two intersections in question. In the present design, each of these have a 4% grade and with the very low projected traffic pattern it is my judgment that this does suffice. Further ASSHTO is not specific on this matter by the fact that they use such wording as "should" and "about". This sounds quite unspecific and leaves a lot of room for design judgment to adapt to the specific site situation. I would judge that there is less than a 1% probability that a second vehicle would be on the storage platform and if so, 4% has "about" the same effect as a 3%.
3. The grades on Jenne Lane at the intersection of Molly Court are 2.5% to the north and a 6.8% to the south for 250 feet and 7.5% for the next 300 feet. Jenne Lane has no 10% grade.
- ✓4. "No Parking" signs will be shown on the final design plans for Winters Drive.
5. It seems totally ridiculous to do a detailed pavement design on roads that serve so few dwellings. The "12 inch, 4 inch, 2 inch" specification should suffice. The current regulations will all an 8" thickness of 3" minus uncrushed gravels, however we are planning a 12 inch thickness, which is compatible with the prior county road standard. The soils in this area are primarily sandy loams, but there are isolated clay lenses and the additional 4 inches will allow a desirable structural safety factor. Never the less, we will do a structural detailed pavement design with the final design submittal.

Site distance triangles are shown on the revised Roadway Design Submittal Form for the Jenne Lane/Molly Court and Boyce drive/Winter Place intersections

RECEIVED
MAY 12 2006

Storm Drainage:

I ask that you reconsider the requirement that the storm water and grading plans be prepared in strict accordance to DEQ Circular 8. Please refer to Article 8 of the Ravalli County Subdivision regulations. This states that subdivisions requiring MDEQ approval of the storm water drainage plans must have MDEQ approval. It further states that in cases where MDEQ approval is not required, the storm water facilities shall be installed in accordance with the drainage and storm water plan approved with the preliminary application. I interpret this to mean that MDEQ approval controls.

It has been my practice to do my storm water plans in the same manner as performed on this project. Mine is a logical approach using the rational method. MDEQ has not in the past questioned my mythology, even when the projects have been of size to require a DEQ Circular 8 procedure, which most are.

On this project we have a pending DEQ approval, lacking the input of transpired at the Planning Board meeting and whether or not there was public input or concern.

I respectfully request that you do not further pursue the full DEQ Circular 8 requirement.

Sincerely,



Gordon Sorenson, PEPLS

cc: Josh Gill, PO Box 2260, Renton WA 98056-0260
Ravalli County Planning, 215 South 4th Street, Ste. F., Hamilton MT 59840



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3021 Palmer • PO Box 16027 • Missoula, MT 59808-6027

Phone: (406)728-4611
Fax: (406)728-2476
www.wgmgroup.com

DATE: May 19, 2006
TO: Gordon Sorenson, Gordon Sorenson Engineering
CC: David Ohnstad, Ravalli County Road & Bridge Department
FROM: Jonathan L. Gass, P.E.
RE: Gunshy Ridge Three Review Comments

On behalf of the Ravalli County Road and Bridge Department (RCRBD), our office has completed a review of the plans and reports submitted by your office. This comment letter is in response to your comment letter dated May 11, 2006. This review memorandum is part of Step 6 in the Ravalli County Road and Bridge Department's "Schedule of Activities – Processing and Coordination of Subdivision Projects" form.

Based on our review, we have the following comments:

Roadways

- 1) The revised Schedule for Roadway Design for Winter Place lists a minimum centerline radius of 300'. The plans show a minimum centerline radius of 175' near station 9+00. Please correct Design Schedule at the time of final design.
- 2) The vertical curve on Boyce Drive at station 1+72.50 has a k-value of 12.8, which is less than the 17 value shown on the Design Schedule. Vertical curve length or road grades need to be adjusted at the time of final design to provide appropriate k-value.
- 3) Please provide statement that existing grades on Jenne Lane has been addressed in the intersection of Molly Court.

Storm Drainage

- 1) We reviewed your comment request regarding the storm drainage report with the Planning Department. If the project does not qualify for an exemption as outlined in subdivision regulation 3-2-16(c), a variance request would need to be made to not comply with section 3-2-16(b) or (c).

Please respond to these comments, as outlined in Step 6 of the "Schedule of Activities – Processing & Coordination of Subdivision Projects" form from the RCRBD. Once comments have been satisfactorily addressed, we will forward a final comment letter to the Ravalli County Road and Bridge Department. Thank you.

**GORDON SORENSON ENGINEERING**
Specializing in Land Development Services

Gordon E. Sorenson, PE PLS
Registered Land Surveyor
Charles D. Conklin, PLS
Registered Land Surveyor

May 22, 2006

Jonathan Gass, P.E.
WGM Group, Inc.
PO Box 16027
Missoula MT 59808-6027

Re: Gunshy Ridge Three Preliminary Review Comments
Via Fax: 728-2476 (10:00 AM)

Dear Mr. Gass:

This is my reply to your e-mail to me dated May 19, 2006 (4:12PM). My replies are in numerical reference to your comments.

1. The Design schedule relative to the 300' radius curve and 175' radius curve will be handled on the final design submittal.
2. The Boise Drive vertical curve sag will be handled on the final design submittal.
3. The intersection of Molly Court and Jenne Lane is a 90° stop control "T" intersection. The grades on Jenne Lane are 3% +/- to the north and 6% to the south. The grade on Molly Court is on the preliminary drawing 4% and will likely be changed to a 3% on the final design.

Storm Drainage:

A variance request has been submitted with the final preliminary plat submittal to Ravalli County planning to not require a full DEQ-8 compliant plan.

It is the plan that this project be scheduled for plat evaluation at the June 7th Planning Board meeting. If any letter from you is necessary, please attempt to get this to the appropriate people in Ravalli County either today or tomorrow at the very latest.

Thank you.

Sincerely,

Gordon Sorenson, PEPLS

cc: Josh Gill, PO Box 2260, Renton WA 98056-0260
Ravalli County Planning, 215 South 4th Street, Ste. F., Hamilton MT 59840



3021 Palmer • PO Box 16027 • Missoula, MT 59808-6027

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PLANNING

Phone: (406)728-4611
Fax: (406)728-2476
www.wgmgroup.com

DATE: May 26, 2006
TO: David Ohnstad, Ravalli County Road & Bridge Department
FROM: Jonathan L. Gass, P.E.
RE: Gunshy Ridge Three - Variance Request

As requested by the Ravalli County Road & Bridge Department, we have reviewed the above-referenced variance request.

Section 3-2-16(b) of the Ravalli County Subdivision Regulations states that "...grading and storm water drainage plans shall be prepared by a licensed professional engineer and provided in accordance with MDEQ Circular 8..." During our preliminary project review, we found the Gunshy Ridge Three drainage report did not address items identified in MDEQ Circular. The following lists sections of MDEQ Circular 8 in italics with comments relating the Gunshy Ridge Three drainage report in bold:

Chapter 1- Submission of Plans

1.1.2 Extent of the storm drainage, including

- B. Delineation of drainage areas outside the subdivision that flow through the subdivision, and estimates of peak flows generated within these drainage areas,*

The drainage report for Gunshy Ridge Three did not delineate drainage areas outside the subdivision.

- C. For flows that originate outside the subdivision, provisions for passing these flows through the subdivision without flooding home sites or drain field sites (at a recurrence interval of 100 years), and without overtopping of roadways (at a recurrence interval of 10 years),*

The drainage report for Gunshy Ridge Three did not describe provisions for passing outside flows through the subdivision.

- E. Where storm drainage is intended to be discharged into the ground, locations of nearby (within 200 feet) wells and drain fields that may be impacted, or a statement that there are no wells or drain fields nearby.*

The drainage report for Gunshy Ridge Three did not address impacts to nearby wells and/or drainfields.

Chapter 2 - Peak Flow Determination

2.5 MINIMUM FLOWS

In some developments, the soils are such that all of the rainfall from a design storm infiltrates completely, due to the porous nature of the soil. However, conditions such as snow melt or rain on frozen ground will produce some runoff. When more detailed information is unavailable to estimate the runoff produced by these events, a rainfall intensity equal to 20% of the 2-year, one-hour intensity may be used, with all of the rainfall assumed to run off.

The drainage report for Gunshy Ridge Three describes runoff as infiltrating into the ground, however, it does not address snow melt or rain on frozen ground.

Chapter 3 - Roadways

3.1 GENERAL

All roadway drainage structures shall be designed to convey the 10-year peak flow without overtopping the roadway. They shall also be designed to convey the 100-year peak flow without inundating any home site or drain field, although overtopping the roadway is acceptable. Culvert computations shall be provided indicating the culvert inverts, roadway elevation, and flood elevations for both the 10-year and 100-year events.

The drainage report for Gunshy Ridge Three did not include culvert computations for the 10-year and 100-year events.

Chapter 4 - Retention/Detention Ponds

4.2 CLOSED-BASIN PONDS

Where there is no outlet for a pond, the water must be contained until it evaporates or infiltrates. The design of a closed-basin pond must consider a relatively long-duration rainfall event. Closed-basin ponds shall therefore be designed for a 24-hour rainfall event. Infiltration shall generally be based on tests at the ground surface, not percolation tests conducted 18 to 36 inches below the ground. At least one test pit shall be provided within the boundaries of each proposed closed-basin pond. The design storm shall be at least a 2-year event, but the pond must also be analyzed for a 100-year event, to ensure that no home sites or drainfields are inundated during this event.

The drainage report for Gunshy Ridge Three indicates that runoff will be retained in a basin and does not describe an outlet for overflow. Basins

Ohnstad
May 26, 2006
Page 3 of 3

appear to be designed for a 1-hour storm event and do not address a 24-hour rain event.

We reviewed the variance request in accordance with the Five Criteria for Review of Subdivision Variance Request, a copy of which is enclosed. Based on our review, we do not recommend supporting this variance request. If you have any questions or require additional review, please contact our office.

Subdivision Variance Request

Ravalli County, Montana

1. Project Name: Gunshy Ridge Three

2. Applicant Information:

Name: Bitterroot Valley Development, LLC

Address: PO Box 2260

City/State/ Zip: Renton WA 98056-0260

Telephone: 206-396-8247

3. Describe the requested variance: The variance requested is from Section 3-2-16 (b) Ravalli County Board Of County Commissioners Resolution No. 1719, Grading and Storm Water Drainage Plans. This section states in part that storm water and drainage plans must be prepared in accordance to MDEQ Circular 8. The variance requested is to the storm water plan to be prepared as presented, a form that does not fully meet the MDEQ Circular 8 requirements, however a plan that is prepared by utilizing the rational method of determining runoff and a practical and logical presentation as how to manage it.

4. In the space below, describe how the requested variance meets each of the following conditions.

- (1) The granting of the variance will not be detrimental to the public health, safety or general welfare or injurious to other adjoining properties. The granting of the variance will not be detrimental to the public health, safety or general welfare or injurious to other adjoining properties. The plan as presented will retain, on site and within drainage easements, the projected runoff for both a ten-year frequency one-hour storm and a one hundred year frequency one-hour storm.
- (2) The conditions on which the request for a variance is based are unique to the property on which the variance is sought and are not generally applicable to other properties. The conditions on which the request for this variance is not unique to this property and would apply to the majority of other properties.
- (3) Physical conditions, such as topography or parcel slope, prevent the applicant from meeting the strict letter of these Regulations. These conditions shall not result from past actions of the land's current or previous owner(s). There are no physical or other restraints that prevent the applicant from meeting the strict letter of this regulation. What does matter is the fact that the final authority of approving Grading and Storm Water Drainage Plans for this subdivision lies with the MDEQ and not the Ravalli County Road and Bridge Department. See Article 8 Section 5-8-1 (b) & (d), page 12 of this same Resolution No. 1719. These state that the final approval is by MDEQ and that when a MDEQ approval is not required the storm water facilities shall be installed in accordance with the plans approved with the preliminary plat application. (This seems to read county approved plans).

DEQ has reviewed this subdivision sanitary application with this storm water plan included. They have provided a written reply that all that is holding up approval is the receipt of public comment received in the public review process.

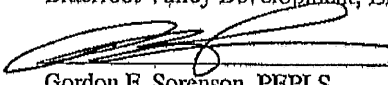
- (4) The variance will not in any manner vary the provisions of the zoning or Growth Policy. The variance will not affect any zoning or growth policy.

- (5) **The variance will not cause a substantial increase in public cost.** The variance will have no impact on public cost. The storm water drainage facility will be developer constructed and privately (homeowner association) maintained at no cost to the public.

Note: The Board Of County Commissioners may revoke an approval if it determines that the information provided by the applicant and/or the applicants' agent and upon which such decision was based is inaccurate. Furthermore, a person commits an offense under Section 45.7.203, MCA, if he purposely misleads a public servant in performing his official duties. Therefore, please complete the application accurately and provide all information requested.

This variance request is submitted this 22nd day of May 2006.

Bitterroot Valley Development, LLC, by

 Date 5/22/06
Gordon E. Sorenson, PEPLS 406-549-9693
Agent for the applicant

Fee Submitted \$ 400.00, check # 3068

Five Criteria for Review of Subdivision Variance Requests

1. The granting of the variance will not be substantially detrimental to the public health, safety or general welfare or injurious to other adjoining properties.

Findings based on substantial competent evidence:

Agree

Disagree

2. The conditions on which the request for a variance is based are unique to the property on which the variance is sought and are not applicable generally to other property.

Findings based on substantial competent evidence:

Agree

Disagree

3. Physical conditions, such as topography or parcel shape, prevent the applicant from meeting the strict letter of these regulations. These conditions shall not result from the past actions of the land's current or previous owner(s).

Findings based on substantial competent evidence:

Agree

Disagree

4. The variance will not in any manner vary the provision of the zoning regulations or the Growth Policy.

Findings based on substantial competent evidence:

Agree

Disagree

5. The variance will not cause a substantial increase in public costs.

Findings based on substantial competent evidence:

Agree

Disagree

OVERALL FINDINGS BASED ON SUBSTANTIAL COMPETENT EVIDENCE:

AGREE

DISAGREE

WOM's Review

Five Criteria for Review of Subdivision Variance Requests

1. The granting of the variance will not be substantially detrimental to the public health, safety or general welfare or injurious to other adjoining properties.

Findings based on substantial competent evidence:**Agree****Disagree**

2. The conditions on which the request for a variance is based are unique to the property on which the variance is sought and are not applicable generally to other property.

Findings based on substantial competent evidence:**Agree****Disagree**

3. Physical conditions, such as topography or parcel shape, prevent the applicant from meeting the strict letter of these regulations. These conditions shall not result from the past actions of the land's current or previous owner(s).

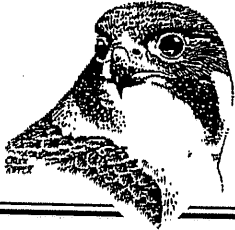
Findings based on substantial competent evidence:**Agree****Disagree**

4. The variance will not in any manner vary the provision of the zoning regulations or the Growth Policy.

Findings based on substantial competent evidence:**Agree****Disagree**

5. The variance will not cause a substantial increase in public costs.

Findings based on substantial competent evidence:**Agree****Disagree****OVERALL FINDINGS BASED ON SUBSTANTIAL COMPETENT EVIDENCE:****AGREE****DISAGREE**



FLORENCE
CARLTON
SCHOOL

FCS Home Page: www.florence.k12.mt.us

5602 Old Hwy 93
Florence MT 59833

RECEIVED
JUN 08 2006
888-90-98-1C
Ravalli County Planning Dept

JOHN MCGEE
SUPERINTENDENT
Ph. (406) 273-6751

June 7, 2006

EXHIBIT A-3

REBECCA STAPERT
PRINCIPAL, GR. 9-12
Ph. (406) 273-6301

John Lavey
215 South 4th Street; Suite F
Hamilton, MT 59840

EDWARD NORMAN
PRINCIPAL, GR. 6-8
Ph. (406) 273-0587

VANCE VENTRESCA
PRINCIPAL, GR. K-5
Ph. (406) 273-6741

Re: Gunshy Ridge Three Subdivision

CHRISSY HULLA
ASST. PRINCIPAL, GR. K-5
Ph. (406) 273-6741

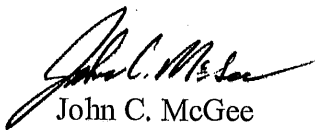
Dear Mr Lavey:

JULIE LORENSEN
BUSINESS MANAGER
Ph. (406) 273-6751

Your letter to the Florence-Carlton School District dated June 2, 2006, requested comments about the Gunshy Ridge Three subdivision. In anticipation of this and other subdivisions, our district formed a Mitigation Fee Committee. This committee took an in depth look at the impact subdivisions would have on our district. They used information commonly requested by the county commissioners when reviewing subdivisions, and information which will be required by Senate Bill No. 185 recently enacted by the state legislature. You will find that the district is requesting a fee of \$5,312.50 per lot, and will file this request with the Ravalli County Planning Board. We also wish to have it on record that the District will not provide transportation services for any students who do not live on county roads.

If you have any further questions please contact us.

Sincerely,


John C. McGee
Superintendent

RECEIVED

JAN 19 2006

1C-06-01-90
Ravalli County Planning Dept.



EXHIBIT A-4

Environmental Health
215 South 4th – Suite D
Hamilton, MT 59840
(406)375-6268 FAX (406)375-2048

MEMORANDUM

TO: Ravalli County Planning Department

FROM: Morgan T. Farrell, R.S., Environmental Health

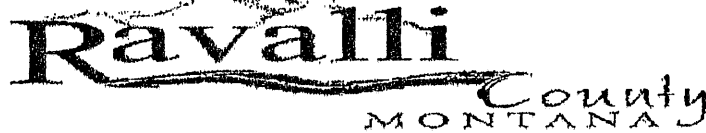
DATE: 1-19-06

RE: GUNSHAY RIDGE

The Ravalli County Environmental Health Department has received the above-referenced proposal for review. Based on the information provided, the application appears to be sufficient for subdivision review. The Sanitation in Subdivision review will be completed in accordance with the contract with the Department of Environmental Quality. Additional questions or comments may be required based upon the continued review of this file and the content of future submittals.

(GORDON SORENSON)

EXHIBIT A-5



ENVIRONMENTAL HEALTH

215 South 4th -Suite D
Hamilton, MT 59840
(406)375-6565 (FAX)(406) 375-6566

January 25, 2006
Gordon Sorenson PE
2610 Gunsight Court
Missoula, MT 59804

RE: Gunshy Ridge Three Subdivision

Ravalli County
EQ# 06-2231

Dear Gordon:

The application for the above referenced subdivision was received by this office and reviewed in accordance with ARM Title 17, Chapter 36. This is to inform you that the subdivision application cannot be approved at this time. The Department is requesting additional information to demonstrate compliance with the Sanitation in Subdivisions Act (76-4-101, MCA) and regulations (ARM Title 17, Chapter 36).

Until the information required by law and regulation as specified in this letter is submitted to this office and found to be adequate, we cannot produce a statement that the subdivision is free of sanitary restriction. Because the Department must make a decision to deny or approve your application within statutory deadlines, the Department hereby denies the application until the required information is submitted for review.

If you wish to appeal the Department's denial of certification, you may request a hearing before the Board of Environmental Review, pursuant to Section 76-4-126, MCA and the Montana Administrative Procedures Act.

When you submit the additional information for our review, please use the submittal title and EQ # noted above to ensure that the information is placed with your particular proposal.

If you have any questions on the above, please contact me at the address above or call me at (406) 375-6572 or you can fax the additional information to the fax number (406) 375-6566.

Sincerely,

A handwritten signature in cursive script, appearing to read "Morgan Farrell".

Morgan Farrell RS
Ravalli County Environmental Health Department
cc: DEQ, Subdivision Review Section
owner

Gunshy Ridge Three Subdivision
EQ # 06-2231
Page 2

RE: Gunshy Ridge Three Subdivision

Ravalli County
EQ # 06-2231

Additional Information

1. A DEQ approval letter cannot be issued until planning board comments are received in accordance with SB 290, 76.3.604(4).

Additional questions or comments may be required based upon the continued review of this file and the content of future submittals.